

SN-US035024



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Akira TSUMIYAMA : Art Unit: 3682
Serial No.: 10/629,831 : Examiner: Vinh T. Luong
Filed: July 30, 2003 :
For: BICYCLE CONTROL DEVICE :

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

Transmitted herewith is a Response to Election (Restriction) Requirement in the above-identified application:

[X] No additional fee is required.

The fee has been calculated as shown below:

CLAIMS			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL 17	- 20	= *	x 25 = \$		x 50 = \$	
INDEP 2	- 3	= *	x 100 = \$		x 200 = \$	
[] 1ST PRESENTATION OF MULT. DEP. CLAIM			+ 180 = \$		+ 360 = \$	
			TOTAL \$		TOTAL \$	

- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1836. A duplicate copy of this sheet is attached.
- [X] Any additional excess claim fees under 37 CFR 1.16.
- [X] Any additional patent application processing fees under 37 CFR 1.17.

Dated: April 14, 2005

Patrick Hilsmier
Reg. No. 46,034

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Akira TSUMIYAMA

: Art Unit: 3682

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RESPONSE TO ELECTION REQUIREMENT

Assistant Commissioner of Patents

Washington, DC 20231

Sir:

The April 5, 2005 Office Action includes an Election of Species Requirement that indicates that this application contains claims directed to five (5) patentably distinct species. More specifically, Applicant is required to elect one of the following patentably distinct groups/species for prosecution on the merits under 35 U.S.C. §121:

Species I - Figures 1-9;
Species II - Figure 10-11;
Species III - Figure 12-13;
Species IV - Figure 14-15; and
Species V - Figure 16.

Additionally, the Office Action indicates that currently, no claims are considered to be generic to the five (5) patentably distinct species.

In response, Applicant hereby elects ***Species I*** illustrated in Figures 1-9 ***without traverse***. Applicant believes that claims 1-8, and 10-14 read on the elected Species I. Accordingly, Applicant respectfully requests examination of claims 1-8, and 10-14. Claims 9 and 15-17 are believed to be directed to non-elected species. Thus, these claims 9 and 15-17 can

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Page 2 of 2

be withdrawn from consideration in this case. However, Applicant respectfully requests that these non-elected claims be rejoined in this application and considered upon the allowance of a generic and/or linking claim in accordance with U.S. patent practice.

* * *

Prompt examination on the merits is respectfully requested.

Respectfully submitted,


Patrick A. Hilsmier
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